

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

STARS INVESTMENT GROUP, LLC,)
STAR'S DESIGN GROUP, INC., BRET)
SCHNITKER, and KELLY GREENE,)

Plaintiffs,)

Case No. 4:15-cv-01370

vs.)

AT&T CORP., MASTEC NORTH)
AMERICA, INC. and FOUR WINDS)
CONSTRUCTION, LLC,)

Defendants.)

NOTICE OF REMOVAL BY DEFENDANTS AT&T CORP.,
MASTEC NORTH AMERICA, INC. AND FOUR WINDS
CONSTRUCTION, LLC

JURY TRIAL DEMANDED

COME NOW defendants AT&T Corp., Mastec North America, Inc. and Four Winds Construction, LLC pursuant to 28 U.S.C. §1446 and notify the Court that they are removing the action styled Stars Investment Group, LLC, et al v. AT&T Corp., et al, Case No. 1522-CC10261, now pending in the Circuit Court of the City of St. Louis, Missouri, to the United States District Court for the Eastern District of Missouri.

As grounds for removal defendants state that this Court has original jurisdiction of this action pursuant to 28 U.S.C. §1332, in that the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interests and costs, and is between citizens of different states. The initial pleading was received by defendant AT&T Corp. on August 5, 2015, by defendant Mastec North America, Inc. on August 6, 2015, and by Four Winds Construction, LLC on August 15, 2015.

The petition filed by plaintiffs in state court does not demand a particular sum, although for jurisdictional reasons plaintiffs state that their damages “are in excess of \$25,000.00.” However the state court petition shows clearly that the amount in controversy exceeds \$75,000. This claim is for damage to real and personal property, as well as personal injuries and punitive damages. The real property damage alone is claimed to exceed \$1,600,000.00 (see paragraph 19, 20, and 112 of the petition).

There is complete diversity of citizenship among the parties.

All the plaintiffs are citizens of Missouri. Plaintiff Stars Investment Group, LLC is a Missouri Limited Liability Company with its principal place of business in St. Louis (see paragraph 1 of the state court petition). Plaintiff Star’s Design Group, Inc. is a Missouri corporation with its principal place of business in St. Louis (see paragraph 2 of the state court petition). Individual plaintiffs Schnitker and Greene are residents of St. Louis (see paragraph 4 of the state court petition).

None of the defendants are citizens of Missouri. Defendant AT&T Corp. is a New York corporation (see paragraph 5 of the petition). Its principal place of business is in Bedminster, New Jersey (see Biennial Registration Report filed with the Missouri Secretary of State, attached as Ex. A. See also Affidavit of Mark Lewis, counsel for AT&T, attached as Ex. B). Defendant Mastec North America, Inc. is a Florida corporation (see paragraph 7 of the petition) with its principal place of business in Florida (see Annual Registration Report filed with the Missouri Secretary of State, attached as Ex. C. See also Affidavit of Corey Collins, counsel for Mastec, attached as Ex. D). Defendant Four Winds Construction, LLC is an Iowa company with its principal place of business in Iowa (see paragraph 9 of the petition).

Since the amount in controversy exceeds the sum of \$75,000.00 and since there is complete diversity, this case should be removed pursuant to 28 U.S.C. §1446.

Defendants demand a trial by jury of all issues raised by the pleadings.

A complete copy of the state court file is attached as Ex. E.

Respectfully submitted,

/s/ James C. Leritz

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